



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Williams, Morgan & Amerson, P.C.  
10333 Richmond, Suite 1100  
Houston, Texas 77042

COPY MAILED

SEP 27 2006

OFFICE OF PETITIONS

In re Application of :  
WINKLER et al. :  
Application No.: 09/587,722 :  
Filing Date: June 5,2000 :  
Attorney's Docket No.: A72399US :  
For: METHOD AND APPARATUS FOR :  
CONTROLLING ATM STREAM :

DECISION ON PETITION FOR  
REVIVAL OF ABANDONED  
APPLICATION UNDER  
37 CFR 1.137(b)

This is a decision on the petition under 37 CFR 1.137(b) to revive the above-entitled application, filed February 03, 2006. The petition is GRANTED.

This application became abandoned for failure to timely file a proper reply to the final Office action mailed January 15, 2004 which set a shortened statutory period of reply of three (3) months. Applicants did not file a timely Notice of Appeal, and no extensions of time were obtained under 37 CFR 1.136(a). Accordingly, the application became abandoned at midnight on April 15, 2004.

On February 03, 2006, applicants filed the petition for revival under 37 CFR 1.137(b) considered herein. The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that it includes: (1) the petition fee; (2) the required statement of unintentional delay; and (3) the required reply in the form of a Notice of Appeal. Accordingly, the reply to the final Office action mailed January 14, 2004, 2005 is accepted as having been unintentionally delayed.

The two-month period for filing an appeal brief under 37 CFR 41.37(a)(1), accompanied by the fee required by 37 CFR 41.20(b)(2), runs from the due date of this decision.

Telephone inquiries concerning this decision should be directed to the undersigned.

Anthony Smith  
Attorney-Advisor  
Office of Petitions/Office of PCT Legal Administration  
Telephone: (571) 272-3298  
Facsimile: (571) 273-0459